

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re ALUMINUM WAREHOUSING ANTITRUST
LITIGATION

This Document Relates To:

*FUJIFILM Manufacturing U.S.A., Inc. v. Goldman
Sachs & Co., et al.*, Case No. 1:15-cv-08307-KBF
(S.D.N.Y.)

X

:

:

:

:

:

:

:

:

:

:

:

X

MDL No. 2481

Master Docket No.

13-MD-2481-KBF

**DEFENDANT PACORINI METALS USA, LLC's ANSWER AND DEFENSES
TO PLAINTIFF FUJIFILM MANUFACTURING U.S.A., INC.'S COMPLAINT**

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

John M. Nannes
John H. Lyons
Tiffany Rider
1440 New York Avenue, N.W.
Washington, D.C. 20005
Telephone: (202) 371-7000
Facsimile: (202) 661-9191

Jay B. Kasner
Four Times Square
New York, New York 10036
Telephone: (212) 735-3000
Facsimile: (917) 777-2628

Counsel for Pacorini Metals USA, LLC

Dated: January 15, 2016

Defendant Pacorini Metals USA, LLC ("Pacorini USA"), by and through its undersigned counsel, states as follows for its Answer in response to the Complaint of Plaintiff Fujifilm Manufacturing U.S.A. ("Fujifilm") dated October 21, 2015 (ECF No. 1; "Fujifilm Complaint").

On November 30, 2015, this Court entered the parties' proposed Stipulation and Order (ECF No. 20). In sum, the parties agreed that the Fujifilm Complaint asserts individual, non-class action claims that allegedly are substantially similar to the individual plaintiffs' claims in *In re Aluminum Warehousing Antitrust Litigation*, Case No. 13-md-2481 (S.D.N.Y.), whose claims are asserted together in a Joint Amended Complaint ("JAC") as a part of this multi-district litigation. As such, the parties agreed that, among other things, Fujifilm will proceed on the same discovery schedule as the other individual, non-class plaintiffs and shall use its best efforts to expedite its responses to discovery demands in order to become substantially aligned with the progress of the individual plaintiffs in the JAC.

Pacorini USA states generally that the answers contained herein are with respect to the allegations directed to Pacorini USA only, as Pacorini USA is not required to respond to allegations put forth against any other Defendant. Pacorini USA generally denies each and every allegation that Pacorini USA does not expressly admit. Pacorini USA also specifically denies some allegations without affecting its general denial of other allegations. With respect to the headings and subheadings contained in the table of contents and throughout the body of the Fujifilm Complaint, Pacorini USA states that such headings are improper under Fed. R. Civ. P. 10(b), which requires that factual allegations of a complaint be pleaded in numbered paragraphs each alleging a single set of circumstances, and, for this reason, no response is required. To the extent the headings and subheadings appearing in the table of contents or throughout the body of the Fujifilm Complaint may be deemed to contain any factual allegations, they are denied. In

addition to the above general answers, Pacorini USA now offers the following answers to the specific allegations set forth in each numbered paragraph of the Fujifilm Complaint:

INTRODUCTION

1. Pacorini USA denies the allegations in Paragraph 1 of the Fujifilm Complaint, except admits that Fujifilm purports to bring a civil antitrust action.

2. Pacorini USA denies the allegations in Paragraph 2 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

3. Pacorini USA denies the allegations in Paragraph 3 of the Fujifilm Complaint.

4. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Fujifilm Complaint.

5. Pacorini USA denies the allegations in the first sentence of Paragraph 5 of the Fujifilm Complaint. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 5 of the Fujifilm Complaint.

6. Pacorini USA denies the allegations in the fifth sentence of Paragraph 6 of the Fujifilm Complaint. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 6 of the Fujifilm Complaint.

7. Pacorini USA denies the allegations in Paragraph 7 of the Fujifilm Complaint.

8. Pacorini USA denies the allegations in Paragraph 8 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no

response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

9. Pacorini USA denies the allegations in Paragraph 9 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9 of the Fujifilm Complaint as they relate to any other entity, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

10. Pacorini USA denies the allegations in Paragraph 10 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

11. Pacorini USA denies the allegations in Paragraph 11 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

12. Pacorini USA denies the allegations in Paragraph 12 of the Fujifilm Complaint.

13. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the first sentence of Paragraph 13 of the Fujifilm Complaint. Pacorini USA denies the remaining allegations in Paragraph 13 of the Fujifilm Complaint, except that to the extent the

allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

14. Pacorini USA denies the allegations in Paragraph 14 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

15. Pacorini USA denies the allegations in Paragraph 15 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

16. Pacorini USA denies the allegations in Paragraph 16 of the Fujifilm Complaint.

17. Pacorini USA denies the allegations in Paragraph 17 of the JAC.

18. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

19. Pacorini USA denies the allegations in Paragraph 19 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

20. Pacorini USA denies the allegations in Paragraph 20 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

21. Pacorini USA denies the allegations in Paragraph 21 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

22. Pacorini USA denies the allegations in Paragraph 22 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

23. Pacorini USA denies the allegations in Paragraph 23 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no

response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

24. Pacorini USA denies the allegations in Paragraph 24 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

25. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 25 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

26. Pacorini USA denies the allegations in Paragraph 26 of the Fujifilm Complaint.

27. Pacorini USA denies the allegations in Paragraph 27 of the Fujifilm Complaint.

28. Pacorini USA denies the allegations in Paragraph 28 of the Fujifilm Complaint.

29. Pacorini USA denies the allegations in Paragraph 29 of the Fujifilm Complaint.

JURISDICTION AND VENUE

30. Pacorini USA admits that Fujifilm purports to bring this action pursuant to Sections 4 and 16 of the Clayton Act for alleged violations of Section 1 of the Sherman Act but denies that the relief sought is appropriate or available. Pacorini USA makes no response to the remainder of Paragraph 30 of the Fujifilm Complaint because it states legal conclusions as to which no response is required; however, to the extent a response is required, Pacorini USA

denies that this court has subject matter jurisdiction over all of the Fujifilm's claims and further denies the remaining allegations in Paragraph 30.

31. Pacorini USA makes no response to Paragraph 31 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 31.

32. Pacorini USA makes no response to Paragraph 32 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 32.

33. Pacorini USA denies the allegations in Paragraph 33 of the Fujifilm Complaint.

PARTIES AND RELEVANT ENTITIES

34. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 34 of the Fujifilm Complaint.

35. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35 of the Fujifilm Complaint.

36. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 36 of the Fujifilm Complaint.

37. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 37 of the Fujifilm Complaint.

38. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38 of the Fujifilm Complaint.

39. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 39 of the Fujifilm Complaint.

40. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40 of the Fujifilm Complaint.

41. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 41 of the Fujifilm Complaint.

42. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 42 of the Fujifilm Complaint.

43. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 43 of the Fujifilm Complaint.

44. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 44 of the Fujifilm Complaint.

45. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 45 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

46. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 46 of the Fujifilm Complaint.

47. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 47 of the Fujifilm Complaint.

48. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 48 of the Fujifilm Complaint.

49. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 49 of the Fujifilm Complaint.

50. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 50 of the Fujifilm Complaint.

51. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 51 of the Fujifilm Complaint.

52. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 52 of the Fujifilm Complaint.

53. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 53 of the Fujifilm Complaint.

54. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 54 of the Fujifilm Complaint.

55. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 55 of the Fujifilm Complaint.

56. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 56 of the Fujifilm Complaint.

57. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 57 of the Fujifilm Complaint.

58. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 58 of the Fujifilm Complaint.

59. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 59 of the Fujifilm Complaint.

60. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 60 of the Fujifilm Complaint.

61. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 61 of the Fujifilm Complaint.

62. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 62 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

63. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 63 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

64. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 64 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

65. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 65 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

66. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 66 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

67. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 67 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

68. Pacorini USA denies the allegations in Paragraph 68 of the Fujifilm Complaint, except admits that it is a limited liability company organized under the laws of Louisiana and that it operates LME-certified warehouses in Detroit, MI; Baltimore, MD; Chicago, IL; Los Angeles, CA; Mobile, AL; and New Orleans, LA.

69. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 69 of the Fujifilm Complaint.

70. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 70 of the Fujifilm Complaint, except admits that Pacorini USA was acquired in 2010.

71. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 71 of the Fujifilm Complaint.

72. Pacorini USA makes no response to Paragraph 72 of the Fujifilm Complaint because it reflects Fujifilm's own characterization and definition of a term to which no response is required.

73. Pacorini USA makes no response to Paragraph 73 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 73 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 73 of the Fujifilm Complaint as they relate to any other entity.

74. Pacorini USA makes no response to Paragraph 74 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 74 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 74 of the Fujifilm Complaint as they relate to any other entity.

75. Pacorini USA makes no response to Paragraph 75 of the Fujifilm Complaint because it reflects Fujifilm's own characterization and definition of a term to which no response is required; however, to the extent a response is required, Pacorini USA denies the allegations in Paragraph 75 of the Fujifilm Complaint.

76. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 76 of the Fujifilm Complaint.

77. Pacorini denies the allegations in Paragraph 77 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

78. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 78 of the Fujifilm Complaint.

79. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 79 of the Fujifilm Complaint.

80. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 80 of the Fujifilm Complaint.

81. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 81 of the Fujifilm Complaint.

82. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 82 of the Fujifilm Complaint.

83. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 83 of the Fujifilm Complaint, except that to the extent

the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

84. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 84 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

85. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 85 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

86. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 86 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

87. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 87 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

FACTUAL ALLEGATIONS

88. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 88 of the Fujifilm Complaint.

89. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 89 of the Fujifilm Complaint, except admits that aluminum is used in the manufacture of a wide array of products.

90. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 90 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

91. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 91 of the Fujifilm Complaint.

92. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 92 of the Fujifilm Complaint.

93. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 93 of the Fujifilm Complaint.

94. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 94 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

95. Pacorini USA denies the allegations in Paragraph 95 of the Fujifilm Complaint.

96. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 96 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

97. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 97 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

98. Pacorini USA denies the allegations in Paragraph 98 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe

external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

99. Pacorini USA denies the allegations in Paragraph 99 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

100. Pacorini USA makes no response to Paragraph 100 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 100 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

101. Pacorini USA denies the allegations in Paragraph 101 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

102. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 102 of the Fujifilm Complaint.

103. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 103 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

104. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 104 of the Fujifilm Complaint.

105. Pacorini USA denies the allegations in Paragraph 105 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

106. Pacorini USA makes no response to Paragraph 106 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 106.

107. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 107 of the Fujifilm Complaint.

108. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 108 of the Fujifilm Complaint.

109. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 109 of the Fujifilm Complaint.

110. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 110 of the Fujifilm Complaint.

111. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 111 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

112. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 112 of the Fujifilm Complaint.

113. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 113 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

114. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 114 of the Fujifilm Complaint.

115. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 115 of the Fujifilm Complaint.

116. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 116 of the Fujifilm Complaint, except admits that it operates LME-certified warehouses in the United States.

117. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 117 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

118. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 118 of the Fujifilm Complaint.

119. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 119 of the Fujifilm Complaint.

120. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 120 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

121. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 121 of the Fujifilm Complaint.

122. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 122 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

123. Pacorini USA makes no response to Paragraph 123 of the Fujifilm Complaint because it reflects Plaintiffs' own characterization and definition of a term to which no response is required; however, to the extent a response is required, Pacorini USA denies the allegations in Paragraph 123.

124. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 124 of the Fujifilm Complaint.

125. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 125 of the Fujifilm Complaint.

126. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 126 of the Fujifilm Complaint.

127. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 127 of the Fujifilm Complaint.

128. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 128 of the Fujifilm Complaint.

129. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 129 of the Fujifilm Complaint.

130. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 130 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

131. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 131 of the Fujifilm Complaint.

132. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 132 of the Fujifilm Complaint.

133. Pacorini USA denies the allegations in Paragraph 133 of the Fujifilm Complaint.

134. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 134 of the Fujifilm Complaint.

135. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 135 of the Fujifilm Complaint.

136. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 136 of the Fujifilm Complaint.

137. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 137 of the Fujifilm Complaint.

138. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 138 of the Fujifilm Complaint.

139. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 139 of the Fujifilm Complaint.

140. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 140 of the Fujifilm Complaint, except admits that Pacorini USA was acquired in 2010. To the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for

themselves and no response is required; to the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

141. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 141 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

142. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 142 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

143. Pacorini USA denies the allegations in Paragraph 143 of the Fujifilm Complaint.

144. Pacorini USA denies the allegations in Paragraph 144 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

145. Pacorini USA denies the allegations in Paragraph 145 of the Fujifilm Complaint.

146. Pacorini USA denies the allegations in Paragraph 146 of the Fujifilm Complaint.

147. Pacorini USA denies the allegations in Paragraph 147 of the Fujifilm Complaint.

148. Pacorini USA denies the allegations in Paragraph 148 of the Fujifilm Complaint.

149. Pacorini USA denies the allegations in Paragraph 149 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 149 of the Fujifilm Complaint as they relate to any other entity, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

150. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 150 of the Fujifilm Complaint, except admits that the LME has had in effect certain information barrier rules.

151. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 151 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

152. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 152 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

153. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 153 of the Fujifilm Complaint.

154. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 154 of the Fujifilm Complaint.

155. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 155 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

156. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 156 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

157. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 157 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

158. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 158 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

159. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 159 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

160. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 160 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

161. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 161 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

162. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 162 of the Fujifilm Complaint.

163. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 163 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

164. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 164 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

165. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 165 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

166. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 166 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

167. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 167 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

168. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 168 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

169. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 169 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

170. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 170 of the Fujifilm Complaint.

171. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 171 of the Fujifilm Complaint.

172. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 172 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

173. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 173 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

174. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 174 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

175. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 175 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

176. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 176 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

177. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 177 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

178. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 178 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini

USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

179. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 179 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

180. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 180 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

181. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 181 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

182. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 182 of the Fujifilm Complaint, except that to the extent

the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

183. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 183 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

184. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 184 of the Fujifilm Complaint.

185. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 185 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

186. Pacorini USA denies the allegations in the first sentence of Paragraph 186 of the Fujifilm Complaint. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 186 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is

required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

187. Pacorini USA denies the allegations in Paragraph 187 of the Fujifilm Complaint.

188. Pacorini USA denies the allegations in Paragraph 188 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

189. Pacorini USA denies the allegations in Paragraph 289 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

190. Pacorini USA denies the allegations in Paragraph 190 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

191. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 191 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

192. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 192 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

193. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 193 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

194. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 194 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

195. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 195 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini

USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

196. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 196 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

197. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 197 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

198. Pacorini USA denies the allegations in Paragraph 198 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 198 of the Fujifilm Complaint as they relate to any other entity, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

199. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 199 of the Fujifilm Complaint.

200. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 200 of the Fujifilm Complaint.

201. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 201 of the Fujifilm Complaint.

202. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 202 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

203. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 203 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

204. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 204 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

205. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 205 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

206. Pacorini USA denies the allegations in Paragraph 206 of the Fujifilm Complaint.

207. Pacorini USA denies the allegations in the first sentence of Paragraph 207 of the Fujifilm Complaint. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 207 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

208. Pacorini USA denies the allegations in Paragraph 208 of the Fujifilm Complaint.

209. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 209 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

210. Pacorini USA denies the allegations in the first sentence of Paragraph 210 of the Fujifilm Complaint and denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 210 of the Fujifilm Complaint.

211. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 211 of the Fujifilm Complaint.

212. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 212 of the Fujifilm Complaint.

213. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 213 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

214. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 214 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

215. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 215 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

216. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 216 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

217. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 217 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

218. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 218 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

219. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 219 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini

USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

220. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 220 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

221. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 221 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

222. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 222 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

223. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 223 of the Fujifilm Complaint, except that to the extent

the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

224. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 224 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

225. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 225 of the Fujifilm Complaint.

226. Pacorini USA denies the allegations in Paragraph 226 of the Fujifilm Complaint.

227. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 227 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

228. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 228 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

229. Pacorini USA denies the allegations in Paragraph 229 of the Fujifilm Complaint.

230. Pacorini USA denies the allegations in Paragraph 230 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 230 of the Fujifilm Complaint as they relate to any other entity.

231. Pacorini USA denies the allegations in Paragraph 231 of the Fujifilm Complaint.

232. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 232 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

233. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 233 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

234. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 234 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini

USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

235. Pacorini USA denies the allegations in Paragraph 235 of the Fujifilm Complaint.

236. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 236 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

237. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 237 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

238. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 238 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

239. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 239 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

240. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in the first sentence of Paragraph 240 of the Fujifilm Complaint. Pacorini USA denies the remaining allegations in Paragraph 240 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

241. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 241 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

242. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 242 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

243. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 243 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

244. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 244 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

245. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 245 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

246. Pacorini USA denies the allegations in Paragraph 246 of the Fujifilm Complaint.

247. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 247 of the Fujifilm Complaint, except that to the extent

the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

248. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 248 of the Fujifilm Complaint.

249. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 249 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

250. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 250 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

251. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 251 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

252. Pacorini USA denies the allegations in Paragraph 252 of the Fujifilm Complaint.

253. Pacorini USA denies the allegations in Paragraph 253 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

254. Pacorini USA denies the allegations in Paragraph 254 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

255. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 255 of the Fujifilm Complaint.

256. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 256 of the Fujifilm Complaint.

257. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 257 of the Fujifilm Complaint.

258. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 258 of the Fujifilm Complaint.

259. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 259 of the Fujifilm Complaint.

260. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 260 of the Fujifilm Complaint.

261. Pacorini USA denies the allegations in Paragraph 261 of the Fujifilm Complaint.

262. Pacorini USA denies the allegations in Paragraph 262 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

263. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 263 of the Fujifilm Complaint.

264. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 264 of the Fujifilm Complaint.

265. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 265 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

266. Pacorini USA denies the allegations in Paragraph 266 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

267. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 267 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

268. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 268 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

269. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 269 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

270. Pacorini USA denies the allegations in Paragraph 270 of the Fujifilm Complaint.

271. Pacorini USA denies the allegations in Paragraph 271 of the Fujifilm Complaint.

272. Pacorini USA denies the allegations in Paragraph 272 of the Fujifilm Complaint.

273. Pacorini USA denies the allegations in Paragraph 273 of the Fujifilm Complaint.

274. Pacorini USA denies the allegations in Paragraph 274 of the Fujifilm Complaint.

275. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 275 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

276. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 276 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

277. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 277 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

278. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 278 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

279. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 279 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

280. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 280 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

281. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 281 of the Fujifilm Complaint.

282. Pacorini USA denies the allegations in Paragraph 282 of the Fujifilm Complaint.

283. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 283 of the Fujifilm Complaint.

284. Pacorini USA denies the allegations in Paragraph 284 of the Fujifilm Complaint.

285. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 285 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini

USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

286. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 286 of the Fujifilm Complaint.

287. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 287 of the Fujifilm Complaint.

288. Pacorini USA denies the allegations in Paragraph 288 of the Fujifilm Complaint.

289. Pacorini USA denies the allegations in Paragraph 289 of the Fujifilm Complaint.

290. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 290 of the Fujifilm Complaint, except admits that it generally earns revenue for storing metal within its warehouse and by charging Free on Truck (“FoT”) rates. To the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

291. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 291 of the Fujifilm Complaint, except admits that its maximum daily rent and FoT rates run on an annual basis for a period running from April 1 to March 31, that it submits its rates to the LME by December 1 of the preceding year, and that the LME then publishes the rates, thus making Pacorini USA’s annual maximum daily rent and FoT rates public.

292. Pacorini USA denies the allegations in Paragraph 292 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

293. Pacorini USA denies the allegations in Paragraph 293 of the Fujifilm Complaint.

294. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 294 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

295. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 295 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

296. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 296 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

297. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 297 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

298. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 298 of the Fujifilm Complaint.

299. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 299 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

300. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 300 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

301. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 301 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

302. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 302 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

303. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 303 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

304. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 304 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

305. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 305 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

306. Pacorini USA denies the allegations in Paragraph 306 of the Fujifilm Complaint as they relate to Pacorini USA and denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 306 of the Fujifilm Complaint as they relate to any other entity.

307. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 307 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

308. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 308 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent

the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

309. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 309 of the Fujifilm Complaint, except that to the extent the allegations in this Paragraph purport to characterize or describe external documents, Pacorini USA avers that those documents speak for themselves and no response is required. To the extent the allegations in this Paragraph do not accurately reflect those documents, Pacorini USA denies those allegations.

310. Pacorini USA denies the allegations in Paragraph 310 of the Fujifilm Complaint.

311. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 311 of the Fujifilm Complaint.

312. Pacorini USA makes no response to Paragraph 312 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 312.

313. Pacorini USA denies the allegations in Paragraph 313 of the Fujifilm Complaint.

314. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 314 of the Fujifilm Complaint.

315. Pacorini USA denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 315 of the Fujifilm Complaint.

316. Pacorini USA denies the allegations in Paragraph 316 of the Fujifilm Complaint.

317. Pacorini USA makes no response to Paragraph 317 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 317.

318. Pacorini USA makes no response to Paragraph 318 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 318.

CLAIM FOR RELIEF

Violations of Section 1 of the Sherman Act, 15 U.S.C. § 1 (Against All Defendants)

319. Pacorini USA repeats and reasserts its answers set forth in the foregoing paragraphs as if fully set forth herein.

320. Pacorini USA denies the allegations in Paragraph 320 of the Fujifilm Complaint.

321. Pacorini USA makes no response to Paragraph 321 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 321.

322. Pacorini USA denies the allegations in Paragraph 322 of the Fujifilm Complaint.

323. Pacorini USA denies the allegations in Paragraph 323, including each subpart, of the Fujifilm Complaint.

324. Pacorini USA makes no response to Paragraph 324 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 324.

325. Pacorini USA makes no response to Paragraph 325 of the Fujifilm Complaint because it states a legal conclusion as to which no response is required; however, to the extent that a response is required, Pacorini USA denies the allegations in Paragraph 325.

REQUEST FOR RELIEF

The Request for Relief does not contain allegations of law or fact that require a response by Pacorini USA; however, to the extent that a response is required, Pacorini USA

denies the allegations in the Request for Relief and denies that the relief sought by Plaintiffs is appropriate or available.

DEMAND FOR JURY TRIAL

The Demand for Jury Trial does not contain allegations of law or fact that require a response by Pacorini USA.

* * *

AFFIRMATIVE DEFENSES

Without assuming any burden of proof that it would otherwise not bear under applicable law, Pacorini USA asserts the following affirmative defenses to each and every cause of action alleged in the Complaint:

FIRST AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred because Plaintiffs lack standing to assert them.

SECOND AFFIRMATIVE DEFENSE

The Fujifilm Complaint fails to state facts sufficient to constitute a cause of action, including because none of Pacorini USA's challenged actions or omissions substantially lessened competition within any properly defined market.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because Pacorini USA's conduct constitutes permissible competitive activity.

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because Pacorini USA engaged in independent and legitimate business conduct.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because Pacorini USA's challenged conduct was ancillary to pro-competitive conduct.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because Plaintiffs' alleged injuries were not proximately caused by any act or omission related to Pacorini USA.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because their alleged damages, if any, are speculative and uncertain.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because certain conduct alleged occurred in response to directives, laws, regulations, policies of governments, government agencies and entities and/or regulatory agencies.

NINTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the *Noerr-Pennington* doctrine.

TENTH AFFIRMATIVE DEFENSE

Plaintiffs are precluded from recovering damages, in whole or in part, because and to the extent of, their failure to mitigate damages.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, by applicable statutes of limitations and/or the doctrine of laches.

TWELFTH AFFIRMATIVE DEFENSE

The Fujifilm Complaint fails to allege fraudulent concealment with sufficient specificity.

THIRTEENTH AFFIRMATIVE DEFENSE

Pacorini USA adopts and incorporates by reference any applicable defense pleaded by any other defendant not otherwise expressly set forth herein.

* * *

Pacorini USA hereby reserves the right to amend or supplement its Answer and to assert any other affirmative defenses as and if they become available.

* * *

PACORINI USA'S PRAYER FOR RELIEF

WHEREFORE, Defendant Pacorini USA respectfully requests that the Court (1) dismiss Plaintiffs' claims against it in their entirety and with prejudice and (2) grant such other and further relief as the Court may deem just and proper.

Dated: January 15, 2016
New York, New York

Respectfully submitted,

/s/ John M. Nannes

John M. Nannes
(john.nannes@skadden.com)
John H. Lyons
(john.h.lyons@skadden.com)
Tiffany Rider
(tiffany.rider@skadden.com)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005
Telephone: (202) 371-7000
Facsimile: (202) 661-9191

/s/ Jay B. Kasner

Jay B. Kasner
(jay.kasner@skadden.com)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
Telephone: (212) 735-3000
Facsimile: (917) 777-2628

Counsel for Pacorini Metals USA, LLC